

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- November 8, 1972

Application No. 11168 David Sackett, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried with Mr. Scrivener dissenting, the following Order of the Board was entered at the meeting of January 23, 1973.

EFFECTIVE DATE OF ORDER -- March 29, 1973

ORDERED:

That the application for permission to change a nonconforming use from furniture warehouse to storage, servicing, office, recording and display room for audio-visual electronic equipment on first, second and third floors at 2831 - 15th Street, N.W., lots 18 and 19, Square 2669 be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-B District which is defined by the Zoning Regulations as an area of general residence; medium high density.
2. Subject application is to change a nonconforming use, i.e., furniture warehouse, to storage, servicing, office, recording and display room for audio-visual electronic equipment on the first, second and third floors.
3. The testimony of applicant reflected that the structure has been authorized as a warehouse and as a garage since approximately 1912.
4. It is applicant's request to now seek this Board's permission to change the above mentioned use to an electronic warehouse accompanied by incidental services.
5. It is applicant's testimony that no structural changes are contemplated and no parking problems will be involved because there is adequate parking on the premises in the rear as well as inside the building itself.
6. It is applicant's further testimony that no increase in traffic will result as there will be no retail sales made from this proposed use thus no adverse effect on the neighborhood.
7. It is applicant's testimony that the business is strictly service of audio-visual aids such as movie projectors and television apparatuses.

8. The proposed use will require approximately 12 employees. This includes custodial and professional.

9. The employees will leave the proposed use to go out to various places of business to repair electrical equipment. The proposed working hours are approximately 8 a.m. to 5 or 6 p.m.

10. There was no opposition registered at the public hearing as to the granting of this application, nor were any letters of opposition submitted to the file.

OPINION:

The Board has reviewed the entire file and based on the whole record is of the opinion that this change in nonconforming use will be granted.

We are satisfied that in essence no real change is contemplated in the existing use and that parking problems or traffic congestion do not pose a threat to the immediate neighborhood. Furthermore, it is our determination that this change in nonconforming use is an upgrading to this neighborhood in that no retail sales or services will be conducted on the subject premises.

It has been our policy to attempt to eventually eliminate nonconforming uses in residential areas but we feel in this case that justification for the change has been presented and we hereby grant the application.

We are of the opinion that this use will not have an adverse effect upon the present character and future development of the neighborhood and will not substantially impair the purpose, intent or integrity of the Zoning Regulations and Maps.

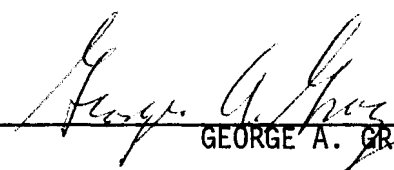
This Order shall be subject to the following condition:

No neon or gas tube displays shall be located on the outside of the building nor shall any such displays if placed inside the building be visible from the outside.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____


GEORGE A. GROGAN, Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.